



## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ralf M. Luche and Bo Wei  
Attorney's Docket No.: 200125.410  
Application No.: 09/544,517  
Filed: April 6, 2000  
For: DSP-4 DUAL-SPECIFICITY PHOSPHATASE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 C.F.R. §§ 1.9(f) AND 1.27(c)) -- SMALL BUSINESS CONCERN**

I declare that I am:

- ☐ the owner of the small business concern identified below.  
☒ an official of the small concern empowered to act on behalf  
of the concern identified below.

NAME OF CONCERN: CEPTYR, Inc.

ADDRESS OF CONCERN: 22215 - 26<sup>th</sup> Avenue Southeast  
Bothell, Washington 98021

I declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.3-18 and reproduced in 37 C.F.R. § 1.9(d) for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and 41(b) in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I declare that rights under contract or law have been conveyed to and remain with the small business concern with regard to the invention entitled:

**DSP-4 DUAL-SPECIFICITY PHOSPHATASE**

by inventors: Ralf M. Luche and Bo Wei  
as described in:

- ☐ the specification filed herewith.  
☒ Application No. 09/544,517, filed April 6, 2000.  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an

independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).\*

\*NOTE: Separate verified statements are required from each named person, concern and organization having rights to the invention averring to his/its status as a small entity. (37 C.F.R. § 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

- ☐ individual  
☐ small business concern  
☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Deborah E. Cool, Ph.D.

TITLE OF PERSON OTHER THAN OWNER: Vice President of Research

ADDRESS OF PERSON SIGNING: 22215 - 26<sup>th</sup> Avenue Southeast

Bothell, Washington 98021

SIGNATURE: 

DATE: Aug 3, 2000



*JB*

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ralf M. Luche and Bo Wei  
Application No. : 09/544,517  
Filed : April 6, 2000  
For : DSP-4 DUAL-SPECIFICITY PHOSPHATASE

Art Unit : 1643  
Docket No. : 200125.410  
Date : July 17, 2000

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

DECLARATION

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

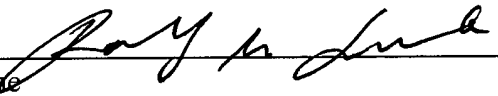
We believe we are the original, first, and joint inventors of the invention entitled "DSP-4 DUAL-SPECIFICITY PHOSPHATASE," which is described and claimed in the specification and claims of Patent Application No. 09/544,517, which we filed in the United States Patent and Trademark Office on April 6, 2000 and for which a patent is sought; and that this application claims the benefit of U.S. Provisional Patent Application No. 60/128,204 filed April 7, 1999.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully

false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

  
Ralf M. Luche

Date 8-1-00  
Residence : City of Seattle, County of King  
State of Washington  
Citizenship : Germany  
P.O. Address : 4028 Northeast 196<sup>th</sup> Court  
Seattle, Washington 98155

Bo Wei  
Bo Wei

Date 8-1-00  
Residence : City of Kirkland, County of King  
State of Washington  
Citizenship : People's Republic of China  
P.O. Address : 10565 Northeast 137 Place,  
Kirkland, Washington 98034



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No. : 09/544,517  
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ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints RICHARD W. SEED, Reg. No. 16,557; ROBERT J. BAYNHAM, Reg. No. 22,846; GEORGE C. RONDEAU, JR., Reg. No. 28,893; DAVID H. DEITS, Reg. No. 28,066; WILLIAM O. FERRON, JR., Reg. No. 30,633; DAVID J. MAKI, Reg. No. 31,392; RICHARD G. SHARKEY, Reg. No. 32,629; DAVID V. CARLSON, Reg. No. 31,153; KARL R. HERMANN, Reg. No. 33,507; DAVID D. MCMASTERS, Reg. No. 33,963; MICHAEL J. DONOHUE, Reg. No. 35,859; LORRAINE LINFORD, Reg. No. 35,939; ELLEN M. BIERMAN, Reg. No. 38,079; ANN T. KADLECEK, Reg. No. 39,244; DAVID W. PARKER, Reg. No. 37,414; E. RUSSELL TARLETON, Reg. No. 31,800; KEVIN S. COSTANZA, Reg. No. 37,801; THOMAS E. LOOP, Reg. No. 42,810; STEPHEN J. ROSENMAN, Reg. No. 43,058; BRIAN L. JOHNSON, Reg. No. 40,033; SUSAN D. BETCHER, Reg. No. 43,498; JANE E.R. POTTER, Reg. No. 33,332; WILLIAM T. CHRISTIANSEN, Reg. No. 44,614; ROBERT IANNUCCI, Reg. No. 33,514; GARY M. MYLES, Reg. No. 46,209; and ERIC J. GASH, Reg. No. 46,274; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all business in the Patent

and Trademark Office connected therewith. Please direct all telephone calls to **Stephen J. Rosenman** at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

Stephen J. Rosenman, Esq.  
Seed Intellectual Property Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to CEPTYR, Inc. filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

CEPTYR, Inc.  
ASSIGNEE

Aug 3, 2000  
DATE

Deborah E. Cool  
Deborah E. Cool, Ph.D.  
Vice President of Research

Enclosure:

Copy of Assignment

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